

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

This listing of claims will replace all prior versions and listings of claims in the Application.

LISTING OF CLAIMS:

1. (Currently Amended): A method of using a web-site for reducing excess capacity during non-peak demand periods for a service business that experiences periods of peak demand and periods of non-peak demand for service that is offered at a predetermined price, the method comprising the steps of:

enabling one or more businesses to post on the web-site one or more items for auction wherein the one or more items are is valid for use during a the non-peak demand period;

enabling one or more users to place a bid on ~~the~~ an item for auction;

processing bids to determine a winner; and

awarding the winner the item, wherein the item is redeemable for the service ~~by from~~ a corresponding one of the one or more businesses during the non-peak demand period, whereby the winner of the item obtains a discount from the predetermined price during the non-peak demand period and non-winners pay the predetermined price without a the discount during the non-peak demand period.

2. (Currently Amended): The method of claim 1 wherein the one or more businesses sets a minimum bid for the one or more items for auction.

3. (Currently Amended): The method of claim 1 wherein the corresponding one of the one or more businesses is a restaurants and the item for auction is a dining certificate for use at the restaurant and the dining certificate has a redemption amount whereby the winner obtains the dining certificate for an amount less than the redemption amount.

4. (Currently Amended): The method of claim 1 wherein the step of enabling one or more users to bid on the item for auction includes a registration process where each of the one or more users provides at least one or more of identification, demographic and service preference information.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

5. (Currently Amended): The method of claim 1 wherein each of the one or more businesses is a restaurant and the step of enabling one or more businesses to post one or more items for auction includes a registration process where the restaurants provides at least one or more of a restaurant description, meal description and facilities description.

6. (Currently Amended): The method of claim 1 wherein each of the one or more businesses is a restaurant and a user can search for one or more auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, and meal.

7. (Original): The method of claim 1 wherein the step of enabling one or more users to place a bid on the item for auction includes placing a quantity of item amount and a bid amount.

8. (Currently Amended): The method of claim 1 wherein the step of enabling one or more users to place a bid on the item for auction includes an auto-bid feature where ~~the~~ a user submits a maximum bid amount and a bid increment amount where the bids are automatically incremented to the maximum amount as necessary.

9. (Currently Amended): The method of claim 1 wherein the step of enabling one or more users to place a bid on the item for auction includes an instant purchase feature that enables the one or more businesses to specify a fixed dollar amount for which ~~the~~ a user can buy one of the one or more items without participating in the auction.

10. (Original): The method of claim 1 wherein a user can create a personalized auction page where the user creates an auction list comprising a list of one or more auctions of interest and monitors the one or more auctions of interest on the auction list.

11. (Withdrawn-Currently Amended): The method of claim 1 further comprising the step of rewarding ~~the~~ a user for referring one or more new users to the web-site.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

12. (Withdrawn-Currently Amended): The method of claim 1 further comprising the step of rewarding ~~the~~ a user for referring one or more new businesses to the web-site.

13. (Withdrawn-Currently Amended): The method of claim 1 further comprising the step of enabling ~~the~~ a user to monitor rewards awarded to the user and redeem the rewards.

14. (Currently Amended): The method of claim 1 further comprising the step of enabling the one or more businesses to display an advertisement for an auction at a premium space.

15. (Currently Amended): The method of claim 1 further comprising the step of displaying a list of current auctions and enabling ~~the~~ a user to participate in a current auction.

16. (Currently Amended): The method of claim 1 wherein the one or more businesses ~~is a~~ are restaurants and a restaurant guide enables ~~the~~ a user to search for one or more restaurants of interest by one or more of cuisine type, location, and price range.

17. (Withdrawn-Currently Amended): The method of claim 16 further comprising the step of enabling users to post at least one of a community ratings and a reviews of dining experiences at one or more restaurants of interest.

18. (Withdrawn): The method of claim 16 further comprising the step of enabling users to view ratings of one or more restaurants of interest posted by other users.

19. (Withdrawn-Currently Amended): The method of claim 16 further providing a hyper-link to a separate restaurant page containing information regarding ~~the~~ a restaurant of interest including one or more of a description of the restaurant, type of food, services, and facilities.

20. (Withdrawn): The method of claim 1 further comprising the step of providing a recipe center where users may view recipe and cooking information.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

21. (Withdrawn): The method of claim 1 further comprising the step of providing a gifts center where users may purchase merchandise.

22. (Withdrawn): The method of claim 1 further comprising the step of enabling users to participate in a chat/message board.

23. (Currently Amended): The method of claim 1 further comprising the step of enabling the one or more businesses to track and monitor current bids on the one or more items posted by the one or more businesses.

24. (Currently Amended): The method of claim 1 further comprising the step of enabling the one or more businesses to set an auction schedule where ~~the~~ a business designates a specified number of items to be auctioned at a specified time period.

25. (Currently Amended): The method of claim 1 further comprising the step of enabling the one or more businesses to create a survey for users to complete where users provide one or more of demographic, identification, and service preference information and where the information is used for targeted marketing and promotions.

26. (Currently Amended): The method of claim 1 wherein bidding data and user information are aggregated and provided to the one or more businesses and wherein the one or more businesses ~~can~~ use the bidding data and the user information collected for at least one of: targeted marketing and promotions.

27. (Currently Amended): The method of claim 26 wherein the user information includes sales history data.

28. (Currently Amended): The method of claim 1 further comprising the step of enabling users to specify a preferred mode of information delivery from the one or more businesses including one or more of email, a display at a personalized page on the web-site, and regular mail.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

29. (Currently Amended): The method of claim 1 further comprising the step of providing an account module where the one or more businesses can monitor ~~the~~ a number and type of items sold along with its account status with the web-site.

30. (Currently Amended): The method of claim 1 further comprising the step of providing the one or more businesses with a summary page outlining results of an auction for one or more items posted by the one or more businesses.

31. (Currently Amended): The method of claim 1 further comprising the step of receiving from the one or more businesses a report indicating which winners redeemed auctioned items.

32. (Previously Presented): The method of claim 1 further comprising the step of enabling the winner to download the item for redemption from the web-site or via electronic mail.

33. (Original): The method of claim 1 wherein the winner pays for the item at the time of redemption and any amount over the value of the item.

34. (Currently Amended): The method of claim 1 wherein the winner pays for the item at the time the winner is declared ~~the winner~~.

35. (Currently Amended): The method of claim 1 wherein an electronic certificate is sent to the one or more businesses and the winner informs the corresponding one of the one or more businesses of the electronic certificate at a time of redemption.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

36. (Currently Amended): A computer implemented system for using a web-site for reducing excess capacity during non-peak demand periods for a service business that experiences periods of peak demand and periods of non-peak demand for service that is offered at a predetermined price, the system comprising:

a business module for enabling one or more businesses to post on the web-site one or more items for auction wherein the one or more items are ~~is~~ valid for use during a the non-peak demand period;

a user module for enabling one or more users to place a bid on ~~the~~ an item for auction;

a system processor for processing bids to determine a winner; and

an award module for awarding the winner the item wherein the item is redeemable for service by a corresponding one of the one or more businesses during the non-peak demand period, whereby the winner of the item obtains a discount from the predetermined price during the non-peak demand period and non-winners pay the predetermined price without a the discount during the non-peak demand period.

37. (Currently Amended): The system of claim 36 wherein the one or more businesses sets a minimum bid for the one or more items for auction.

38. (Currently Amended): The system of claim 36 wherein the corresponding one of the one or more businesses is a restaurant and the item for auction is a dining certificate for use at the restaurant and the dining certificate has a redemption amount whereby the winner obtains the dining certificate for an amount less than the redemption amount.

39. (Currently Amended): The system of claim 36 wherein the user module includes a registration module where each of the one or more users provides at least one or more of identification, demographic and service preference information.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

40. (Currently Amended): The system of claim 36 wherein ~~the~~ each of the one or more businesses is a restaurant and the business module is a ~~the~~ restaurant module that includes a registration module where each of the restaurants provide at least one or more of a restaurant description, meal description and facilities description.

41. (Currently Amended): The system of claim 36 wherein the one or more businesses ~~is-~~ are restaurants and a user can search for one or more auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, and meal.

42. (Original): The system of claim 36 wherein the user module includes placing a quantity of item amount and a bid amount.

43. (Currently Amended): The system of claim 36 wherein the user module includes an auto-bid feature where ~~the~~ a user submits a maximum bid amount and a bid increment amount where ~~the~~ bids are automatically incremented to the maximum bid amount.

44. (Currently Amended): The system of claim 36 wherein the user module includes an instant purchase feature that enables the one or more businesses to specify a fixed dollar amount for which ~~the~~ a user can buy the one of the one or more items without participating in the auction.

45. (Original): The system of claim 36 wherein a user can create a personalized auction page where the user creates an auction list comprising a list of one or more auctions of interest and monitors the one or more auctions of interest on the auction list.

46. (Withdrawn-Currently Amended): The system of claim 36 further comprising a reward module where ~~the~~ a user is rewarded for referring one or more new users to the web-site.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

47. (Withdrawn-Currently Amended): The system of claim 36 further comprising a reward module where ~~the~~ a user is rewarded for referring one or more new businesses to the web-site.

48. (Withdrawn-Currently Amended): The system of claim 36 further comprising a reward monitor module where ~~the~~ a user can monitor rewards awarded to the user and redeem the rewards.

49. (Currently Amended): The system of claim 36 further comprising an advertisement module where the one or more businesses can display an advertisement for an auction at a premium space.

50. (Currently Amended): The system of claim 36 further comprising a current auction module where a list of current auctions is displayed to ~~the~~ a user where the user can participate in a current auction.

51. (Currently Amended): The system of claim 36 wherein the one or more businesses are ~~is a~~ restaurants and a restaurant guide enables ~~the~~ a user to search for one or more restaurants of interest by one or more of cuisine type, location, and price range.

52. (Withdrawn): The system of claim 51 further comprising a ratings module where users can post ratings and reviews of dining experiences at one or more restaurants of interest.

53. (Withdrawn): The system of claim 51 further comprising a view ratings module where users can view ratings of one or more restaurants of interest posted by other users.

54. (Withdrawn): The system of claim 51 further providing a hyper-link to a separate restaurant page containing information regarding ~~the~~ a restaurant of interest including one or more of description of the restaurant, type of food, services, and facilities.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

55. (Withdrawn): The system of claim 36 further comprising a recipe center where users can view recipe and cooking information.

56. (Withdrawn): The system of claim 36 further comprising a gifts center where users can purchase merchandise.

57. (Withdrawn): The system of claim 36 further comprising a chat/message board for users to converse with other users and business representatives.

58. (Currently Amended): The system of claim 36 further comprising a monitor current bids module where the one or more businesses can track and monitor current bids on items posted by the one or more businesses.

59. (Currently Amended): The system of claim 36 further comprising an auction schedule module where the one or more businesses can set an auction schedule where the one or more businesses designates a specified number of items to be auctioned at a specified time period.

60. (Currently Amended): The system of claim 36 wherein the one or more businesses can create a survey for users to complete where users provide one or more of demographic, identification, and service performance information where the information is used for targeted marketing and promotions.

61. (Currently Amended): The system of claim 36 wherein bidding data and user information are aggregated and provided to the one or more businesses and wherein the one or more businesses can use the bidding data and user information collected for targeted marketing and promotions.

62. (Original): The system of claim 61 wherein user information includes sales history data.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

63. (Currently Amended): The system of claim 36 wherein users can specify a preferred mode of information delivery from the one or more businesses including one or more of email, a display at a personalized page on the web-site, and regular mail.

64. (Currently Amended): The system of claim 36 further comprising an account module where the one or more businesses can monitor ~~the~~ a number and type of items sold along with its account status with the web-site.

65. (Currently Amended): The system of claim ~~36~~ 38 wherein a summary page is provided to the restaurant outlining results of an auction for one or more items posted by the restaurant.

66. (Currently Amended): The system of claim 36 wherein a report of attendance indicating which winners redeemed ~~the~~ items is received from the one or more businesses.

67. (Previously Presented): The system of claim 36 wherein the winner can download the item for redemption from the web-site or receive it via electronic mail.

68. (Original): The system of claim 36 wherein the winner pays for the item at the time of redemption and any amount over the value of the item.

69. (Currently Amended): The system of claim 36 wherein the winner pays for the item at the time the winner is declared ~~the winner~~.

70. (Currently Amended): The system of claim 36 wherein an electronic certificate is sent to the corresponding one of the one or more businesses and the winner informs the corresponding one of the one or more businesses of the certificate at time of redemption.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

71. (Currently Amended): A method for reducing excess capacity during non-peak demand periods for a service business that experiences periods of peak demand and periods of non-peak demand for service that is offered at a predetermined price, the method comprising the steps of:

- a. providing a web site to which one or more businesses can post an offer to auction one or more certificates for use during non-peak demand periods, the one or more certificates having a predetermined value and being redeemable for services from a corresponding one of the one or more businesses;
- b. receiving at the web site a bid from one or more bidders, specifying an amount ~~the~~ a bidder is willing to pay for a certificate;
- c. determining a winning bidder for ~~at least one~~ the certificate;
- d. issuing to the winning bidder a the certificate, the certificate comprising identification of the corresponding one of the one or more businesses, the predetermined value of the certificate, a unique certificate identifier and user identification information, whereby the winning bidder of the certificate obtains a discount from the predetermined price during non-peak demand periods and non-winning bidders pay the predetermined price without a the discount during non-peak demand periods;
- e. providing to the one or more businesses a list of winning bidders;
- f. receiving from the one or more businesses a report indicating which bidders have redeemed certificates; and
- g. collecting from the one or more businesses a fee, including a fee for certificates redeemed.

72. (Currently Amended): The method of claim 71 wherein the one or more businesses ~~is~~ are restaurants and the web site enables potential bidders to search for auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, and meal.

73. (Original): The method of claim 71 wherein the web site comprises one or more featured auctions sections that prominently display certain auctions.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

74. (Currently Amended): The method of claim 73 wherein the step of collecting a fee from the one or more businesses comprises collecting a premium fee for featured auctions.

75. (Currently Amended): The method of claim 72 wherein ~~the~~ results of a search retains a list of auctions meeting user specified search criteria and summary information about ~~the~~ each auction, where each auction in the list comprises a hyper-link to a separate web page for that auction, the web page comprising more detailed information about the auction.

76. (Original): The method of claim 75 wherein the web site further comprises a bid page from which a user can enter a bid, the bid page comprising a hyper-link to the separate web page for a particular auction.

77. (Currently Amended): The method of claim 71 wherein a the winning bidder pays for the certificate at ~~the~~ a time the certificate is redeemed along with a payment for any amount for the service over the value of the certificate.

78. (Currently Amended): The method of claim 71 wherein a the winning bidder pays for the certificate at the time the winning bidder is declared ~~a winning bidder~~.

79. (Original): The method of claim 71 further comprising the step of receiving at the web site and storing profile information from a bidder prior to enabling the bidder to bid on an auction.

80. (Currently Amended): The method of claim 79 wherein the profile information comprises at least one of a user identification, user contact information and user preference information, and further comprising the step of contacting ~~the~~ a user when auctions corresponding to the user preference information are posted.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

81. (Original): The method of claim 79 further comprising the step of making available to each user for whom profile information is stored a personalized auction information page, the personalized auction page comprising personalized auction lists, auction reward information and current profile information.

82. (Withdrawn): The method of claim 71 wherein the web site further comprises a restaurant guide, the method further comprising the step of receiving at the web site restaurant reviews by users.

83. (Withdrawn): The method of claim 82 wherein the restaurant guide is searchable and comprises a hyper-link from a search result page to auctions for restaurants listed on the search result page.

84. (Currently Amended): The method of claim 71, the web site further comprising an auction status listing, the method further comprising the step of displaying current auction status information comprising an auction closing time and bid information including the a current bid, a bid increment and a minimum bid.

85. (Currently Amended): The method of claim 71 wherein a the one or more businesses may permit one or more certificates to be subject to an instant award at a fixed amount whereby a user can ensure entitlement to a certificate by paying the fixed amount rather than participating in an auction.

86. (Original): The method of claim 71 wherein the web site comprises a proxy bidding system where a bidder can specify a maximum amount the bidder is willing to bid for a certificate and the proxy bidding system will enter bids automatically for the bidder up to the specified maximum.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

87. (Currently Amended): The method of claim 71 further comprising an auction management module for a registered business, the auction management module comprising a listing of the registered business's current auction postings, customer information, and certificate sales history.

88. (Previously Presented): The method of claim 71 comprising an auction management module, the auction management module enabling a registered business to create, delete and modify auctions and track current bid information.

89. (Currently Amended): The method of claim 71 further comprising the step of collecting at the web site information about each bidder that bids on one or more certificates for a particular business, and providing to ~~that~~ the particular business aggregate data on ~~these~~ each bidders that bids on one or more certificates for ~~that~~ the particular business, including demographic information, bid frequency and number of redemptions.

90. (Previously Presented): The method of claim 89 further comprising the step of generating a targeted promotion directed at customers of a particular business based on the aggregate data.

91. (Original): The method of claim 87 further comprising the step of analyzing historical sales data to determine average winning bid amounts for certificates having a predetermined value, by a specified time period.

92. (Original): The method of claim 91 further comprising the step of using the average winning bid amount and adding a premium to it to determine an instant award amount.

93. (Currently Amended): The method of claim 71 further comprising an account page for each of the one or more businesses ~~to that~~ enables a business to view ~~the~~ a number and a type of certificates ~~it~~ the business has sold, ~~it's~~ the business's account status with the web site and business profile information.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

94. (Currently Amended): The method of claim 71 wherein the step of posting an offer further comprises enabling a business to enter one or more of an item description, time restriction information, a value, a minimum bid amount, ~~the~~ a quantity of certificates, ~~the~~ a duration of the auction and ~~the~~ a recurrence of the auction.

95. (Currently Amended): The method of claim 94 further comprising the step of offering to the business one or more options to increase ~~the~~ a likelihood that consumers will focus on ~~that~~ the business's auction, the options including a boldface title for the auction, a category feature auction and an auction home page feature, and further comprising the step of collecting a premium from the business for using one or more of such options for a given auction.

96. (Original): The method of claim 71 further comprising the step of maintaining an auction attendance list, the list comprising, for each auction on the list, an auction identification number, a close date, a retail amount value, time restrictions information, winning bidder information and redemption status information.

97. (Original): The method of claim 71 further comprising the step of e-mailing customers notification that an auction has been posted.

98. (Currently Amended): The method of claim 71 further comprising the step of collecting user profiles at the web site, determining auctions of interest to specified users based on preference information in the users profile and contacting the specified users about auctions corresponding to the specified users preference information.

99. (Withdrawn): The method of claim 71 comprising the step of providing an award credit to users that refer one or more businesses to the web site.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

100. (Currently Amended): The method of claim 71 further comprising the step of notifying a losing bidder that an auction that the bidder bid on closed without ~~that~~ the bidder being a winning bidder and notifying ~~that~~ the bidder of other auctions that correspond to one or more parameters of the auction on which the bidder unsuccessfully bid.

101. (Withdrawn): The method of claim 71, the web site further comprising a recipe page to enable users to share recipes.

102. (Currently Amended): An on-line system for reducing unused capacity for one or more businesses during non-peak demand periods, where the one or more businesses experiences periods of peak demands and periods of non-peak demands for service that is offered at a predetermined price, the system comprising:

- a. a web site to which a business can post an offer to auction one or more certificates for use during non-peak demand periods to reduce unused capacity, the one or more certificates having a predetermined value and being redeemable for services from the business;
- b. a bidding module for receiving at the web site a bid from one or more bidders, specifying an amount the one or more bidders is are willing to pay for a certificate;
- c. a processor for determining a winning bidder for ~~at least one~~ the certificate;
- d. a certificate issuing module for issuing to the winning bidder a the certificate, the certificate comprising identification of the business, the predetermined value of the certificate, specified times for use of the certificate, a unique certificate identifier and user identification information, whereby the winning bidder of the certificate obtains a discount from the predetermined price during non-peak demand periods and non-winning bidders pay the predetermined price without a the discount during non-peak demand periods;
- e. a listing module for providing to the business a list of winning bidders;
- f. a report module for receiving from the business a report indicating which bidders have redeemed certificates; and
- g. a fee module for collecting from the business a fee for certificates redeemed.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

103. (Currently Amended): The system of claim 102 wherein the business is a restaurant and the web site enables potential bidders to search for auctions of interest by one or more of a restaurant name, cuisine type, location, specified time, and meal.

104. (Original): The system of claim 102 wherein the web site comprises one or more featured auctions sections that prominently display certain auctions.

105. (Original): The system of claim 104 wherein the fee module comprises collecting a premium fee for featured auctions.

106. (Currently Amended): The system of claim 105 wherein ~~the~~ results of a search retains a list of auctions meeting user specified search criteria and summary information about the auction, where each auction in the list comprises a hyper-link to a separate web page for that auction, the web page comprising more detailed information about the auction.

107. (Original): The system of claim 106 wherein the web site further comprises a bid page from which a user can enter a bid, the bid page comprising a hyper-link to the separate web page for a particular auction.

108. (Currently Amended): The system of claim 102 wherein a the winning bidder pays for the certificate at the time the certificate is redeemed along with a payment for any amount over the value of the certificate.

109. (Currently Amended): The system of claim 102 wherein a the winning bidder pays for the certificate at the time the bidder is declared a the winning bidder.

110. (Original): The system of claim 102 further comprising a profile module for receiving at the web site and storing profile information from a bidder prior to enabling the bidder to bid on an auction.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

111. (Currently Amended): The system of claim 110 wherein the profile information comprises at least user identification, user contact information and user preference information, further comprising the step of contacting ~~the~~ a user when auctions corresponding to the user preference information are posted.

112. (Original): The system of claim 110 further comprising a personalized auction page for each user for whom profile information is stored, the personalized auction page comprising personalized auction lists, auction reward information and current profile information.

113. (Withdrawn): The system of claim 102 wherein the web site further comprises a restaurant guide, the system further comprising restaurant reviews by users at the web site.

114. (Withdrawn): The system of claim 113 wherein the restaurant guide is searchable and comprises a hyper-link from a search result page to auctions for restaurants listed on the search result page.

115. (Currently Amended): The system of claim 102, the web site further comprising an auction status listing, the system further comprising a display module for displaying current auction status information comprising an auction closing time and bid information including ~~the~~ a current bid, a bid increment and a minimum bid.

116. (Previously Presented): The system of claim 102 wherein a business may permit one or more certificates to be subject to an instant award at a fixed amount wherein a user can ensure entitlement to a certificate by offering the fixed amount rather than participating in an auction.

117. (Original): The system of claim 102 wherein the web site comprises a proxy bidding system where a bidder can specify a maximum amount the bidder is willing to bid for a certificate and the proxy bidding system will enter bids automatically for the bidder up to the specified maximum.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

118. (Currently Amended): The system of claim 102 further comprising an auction management module for a registered business, the auction management module comprising a listing of the registered business's current auction postings, customer information, and certificate sales history.

119. (Previously Presented): The system of claim 102 comprising an auction management module, the auction management module enabling registered businesses to create, delete and modify auctions and track current bid information.

120. (Currently Amended): The system of claim 102 wherein information about each bidder that bids on one or more certificates for a particular business is collected at the web site, and providing to ~~that~~ the particular business aggregate data on ~~those~~ each bidders that bids on one or more certificates for ~~that~~ the particular business, including demographic information, bid frequency and number of redemptions.

121. (Currently Amended): The system of claim 120 wherein a targeted promotion directed at customers of a the particular business based on the aggregate data is generated.

122. (Original): The system of claim 118 wherein historical sales data is analyzed to determine average winning bid amounts for certificates having a predetermined value, by a specified time period.

123. (Original): The system of claim 122 wherein a premium is added to the average winning bid amount to determine an instant award amount.

124. (Currently Amended): The system of claim 102 further comprising an account page for each business to enable a business to view ~~the~~ a number and type of certificates ~~it~~ the business has sold, ~~it~~ the business's account status with the web site and ~~it~~ the business's profile information.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

125. (Currently Amended): The system of claim 102 wherein posting an offer further comprises enabling a business to enter one or more of an item description, time restriction information, a value, a minimum bid amount, ~~the~~ a quantity of certificates, ~~the~~ a duration of the auction and ~~the~~ a recurrence of the auction.

126. (Currently Amended): The system of claim 125 wherein the business is offered one or more options to increase ~~the~~ a likelihood that consumers will focus on ~~that~~ the business's auction, the options including a boldface title for the auction, a category feature auction and an auction home page feature, and further comprising the step of collecting a premium from the business for using one or more of such options for a given auction.

127. (Original): The system of claim 102 further comprising an auction attendance list comprising, for each auction on the list, an auction identification number, a close date, a retail amount value, time restrictions information, winning bidder information and redemption status information.

128. (Currently Amended): The system of claim 102 wherein ~~customers~~ users are notified that an auction has been posted by email.

129. (Currently Amended): The system of claim 102 wherein user profiles are collected at the web site, auctions of interest to specified users based on preference information in the users profiles are determined and ~~the~~ a user is informed of auctions corresponding to the users preference information.

130. (Withdrawn): The system of claim 102 wherein an award credit is provided to users that refer businesses to the web site.

131. (Currently Amended): The system of claim 102 further comprising a notification module for notifying a losing bidder that an auction ~~that~~ the bidder bid on closed without ~~that~~ the bidder being a winning bidder and notifying ~~that~~ the bidder of other auctions that correspond to one or more parameters of the auction on which the bidder unsuccessfully bid.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

132. (Withdrawn): The system of claim 102, the web site further comprising a recipe page to enable users to share recipes.

133. (Currently Amended): A web site through which at least one restaurant can offer at least one discounted gift certificate for use during non-peak demand periods to reduce excess capacity during non-peak demand periods for a restaurants that experiences periods of peak demands and periods of non-peak demands for service that is offered at a predetermined price, the at least one discounted gift certificate being offered on predetermined terms by the a restaurant, the web site comprising:

a listing of the at least one discounted gift certificate being offered and an indication of the predetermined terms on which the at least one discounted gift certificate is being offered; and means for enabling a user to purchase the at least one discounted gift certificate by ~~either~~ at least one of:

participating in an auction for the at least one discounted gift certificate and being ~~the~~ highest a winning bidder or; and

via an immediate buy option at a fixed discounted price without bidding,

whereby the user of the at least one discounted gift certificate obtains a discount from the predetermined price during non-peak demand periods and non-users pay the predetermined price without the discount during non-peak demand periods.

134. (Currently Amended): The web site of claim 133 wherein the restaurant sets a minimum bid price for an auction and awards the at least one discounted gift certificate to the highest winning bidder.

135. (Currently Amended): The web site of claim 133 wherein the at least one discounted gift certificate is valid during a non-peak demand period to reduce excess capacity.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

136. (Currently Amended): The web site of claim 133 wherein the web site includes an auction display feature, the auction display comprising one or more of ~~the~~ a name of the restaurant, a description of the at least one discounted gift certificate, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

137. (Currently Amended): The web site of claim 133 wherein the web site includes a certificate display feature, the display comprising one or more of ~~the name of the~~ a restaurant name, a description of the at least one discounted gift certificate, ~~the~~ a status of any auction for the gift certificate, and, if an immediate buy option is available for the at least one discounted gift certificate, an indication that the immediate buy option is available and a fixed discounted price for the immediate buy.

138. (Currently Amended): The web site of claim 133 wherein the web site includes an auction display feature, the auction display comprising ~~the name of the~~ a restaurant name, a description of the at least one discounted gift certificate, including ~~the~~ a period of validity and value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

139. (Currently Amended): The web site of claim 133 wherein a single restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising one or more of ~~the name of the~~ a restaurant name, ~~the~~ a number of gift certificates available, a description of the gift certificates, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

140. (Currently Amended): The web site of claim 133 wherein a single restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising ~~the name of the~~ a restaurant name, ~~the~~ a number of certificates available from the restaurant, a description of the gift certificates, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

141. (Currently Amended): The web site of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, the web site includes an auction display feature, the auction display comprising ~~the name of the~~ restaurant names, and for each restaurant, one or more of a description of ~~the~~ gift certificates for each restaurant, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

142. (Currently Amended): The web site of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, the web site includes an auction display feature, the auction display comprising ~~the names of the~~ more than one restaurant, and for each restaurant, a description of the gift certificates being offered, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

143. (Currently Amended): The web site of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, where each of the more than one restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising ~~one or more of the names of the~~ more than one restaurant, and for each gift certificate, ~~the~~ a number of gift certificates available, a description of the gift certificates, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

144. (Currently Amended): The web site of claim 133 wherein more than one restaurant can offer gift certificates through the same web site, where each restaurant may simultaneously offer multiple gift certificates, and the web site includes an auction display feature, the auction display comprising ~~the name of the~~ a restaurant name, and for each gift certificate, ~~the~~ a number of gift certificates available, a description of the gift certificates, including ~~the~~ a period of validity and a value, any minimum bid requirement, and ~~the~~ a status of the auction, including ~~the~~ a current bid and ~~the~~ a time left for bidding.

145. (Currently Amended): The web site of claim 133 wherein ~~a~~ the user must register with the web site prior to bidding on or purchasing a gift certificate.

146. (Currently Amended): The web site of claim 133 wherein ~~a~~ the user must register with the web site prior to bidding on or purchasing a gift certificate and provide identification information.

147. (Currently Amended): The web site of claim 133 wherein ~~a~~ the user must register with the web site prior to bidding on or purchasing a gift certificate and provide demographic information.

148. (Currently Amended): The web site of claim 133 wherein ~~a~~ the user must register with the web site prior to bidding on or purchasing a gift certificate and provide identification and demographic information.

149. (Previously Presented): The web site of claim 133 wherein the web site includes a restaurant search module.

150. (Previously Presented): The web site of claim 133 wherein the web site includes a restaurant search module including an interactive restaurant guide.

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

151. (Previously Presented): The web site of claim 133 wherein the web site includes a restaurant search module, the search module enabling a user to search for a restaurant by desired cuisine, zip code or other geographic area parameters or other search parameters.

152. (Previously Presented): The web site of claim 133 wherein the web site includes a restaurant listing module, wherein the listing module provides a listing of restaurants by cuisine type, zip code or geographic area parameters or other listing parameters.

153. (Currently Amended): A web site through which more than one restaurant can offer at least one discounted gift certificate for use during non-peak demand periods to reduce excess capacity during non-peak demand periods, where the more than one restaurant experiences periods of peak demands and non-peak demands for service that is offered at a predetermined price, the at least one discounted gift certificate being offered on predetermined terms by each restaurant, the web site comprising ~~at least one of~~:

a. a restaurant search module, the search module enabling a user to search for a restaurant by desired cuisine, zip code or other geographic area parameters or other search parameters; and

b. a restaurant listing module, wherein the listing module provides a listing of restaurants by cuisine type, zip code or geographic area parameters or other listing parameters;

and further comprising: a display module, displaying for each restaurant or certificate:

i. ~~the name of the~~ a restaurant name; and

ii. a description of the at least one discounted gift certificates being offered including an indication of the predetermined terms on which the at least one discounted gift certificate is being offered and the non-peak demand periods during which the at least one discounted gift certificate ~~is~~ are valid;

c. an auction module, through which users may bid on the at least one discounted gift certificates being offered via auction and the at least one discounted gift certificates may

Application Serial No.: 09/461,336

Attorney Docket No.: 038100-0313722

In Response to Office Action mailed November 17, 2004

be sold to ~~the~~ a highest bidder, whereby the highest bidder of the at least one discounted gift certificates obtains a discount from the predetermined price during non-peak demand periods and non-highest bidders pay the predetermined price without a the discount during non-peak demand periods; and

d. an immediate buy feature through which a user may immediately purchase at least one discounted gift certificate at a fixed discounted price without bidding.